

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

**Application for Mediators**

*Please complete the entire application, using additional paper if necessary. You may also attach a resume.*

Name: CAPERS G. BARR, III  
Firm or Office Name: BARR, BARR & McINTOSH  
Office Address: 11 BROAD STREET (P. O. BOX 1037)  
CHARLESTON, SC 29402  
Office Phone: 803 / 577-5083 Office Fax: 803 / 723-9039

**ADMISSIONS AND AFFILIATIONS**

Date admitted to the Bar of the District of South Carolina: 1966 I.D. No.: 1211  
Date admitted to the South Carolina Bar: 1966 Bar No.: 000542  
Other courts or jurisdictions to which admitted (with dates of admission and bar nos.):  
U. S. FOURTH CIRCUIT 1986; U. S. SUPREME COURT 1988  
Membership and positions held in bar, ADR and professional associations: See attached sheet.

Are you a member in good standing in each jurisdiction where admitted to practice law? XX yes     no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction?     yes XX no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct?     yes XX no

**EDUCATION**

Year law degree received 1966 Law School University of South Carolina  
Other professional degrees received (including year and school)      
A.B. in English, The Citadel, 1963

**LEGAL EXPERIENCE (A minimum of 5 years of law practice required)**

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:  
Partner, Riley & Barr, January 1969 to December 1975; Partner, Barr & Barr, December  
1975 to December 1976; Assistant Solicitor (part-time) Ninth Judicial Circuit of  
South Carolina, 1970-1976; Solicitor, Ninth Judicial Circuit (full time) January  
1977 to January 1981; Partner, Barr, Barr & McIntosh, January 1981 to date.

Percentage of practice in last 5 years representing plaintiff 70 % or defense 30 %

Percentage of Federal or State court practice in last 5 years: Federal 20 % State 80 %

Number of years engaged in active litigation: 26

## EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

<u>      </u> Admiralty	<u>  2  </u> Security or Shareholders suits
<u>      </u> Antitrust	<u>      </u> Labor
<u>  1  </u> Contracts	<u>      </u> ERISA
<u>      </u> Environment	<u>  2  </u> Wrongful Termination
<u>      </u> Fraud or Civil RICO	<u>  2  </u> Civil Rights in Employment
<u>  2  </u> Insurance	<u>      </u> Other Civil Rights
<u>  2  </u> Miller Act	<u>      </u> Copyrights
<u>  1  </u> Personal Injury	<u>      </u> Patent
<u>  1  </u> Product Liability	<u>      </u> Trademark
<u>      </u> Other (specify) _____	

Publications: "Prepare for the Peacemakers" South Carolina Lawyer, July/August 1995

## MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): \_\_\_\_\_

I have mediated 92 cases in Federal and State Courts over the past three years.

Other courts or organizations for whom you serve as a mediator: Charleston County Court of  
Common Pleas, Courts of Common Pleas from various other counties; ADR Options, Inc.,  
Philadelphia, PA.

Number of mediations conducted: 92

## MEDIATION TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
Dispute Management, Inc./		5/19/95 -	Charleston,	
David U. Strawn	General Civil Litigation	5/22/94	S.C.	40

**OTHER INFORMATION**

Are you familiar with the statutes, rules and practice governing mediation conferences in the District of South Carolina? XX yes        no

Other relevant experience or skills or other information you would like considered in connection with this application:

None.

Cities in which you are available to conduct mediation:

XX Columbia

XX Charleston

XX Greenville

XX Florence

Other \_\_\_\_\_

Fees charged:

Hourly Rate: \$ 150.00 Minimum charge each mediation: \$ \_\_\_\_\_ Hourly

How do you bill for travel? (explain): Negotiable; typically at the hourly rate.

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; to the Rules on Disciplinary Procedure, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Clerk of Court of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature \_\_\_\_\_

Applicant

Date 12-25-95

Return completed application to:

U.S. District Court  
Mediation

1845 Assembly Street  
Columbia, SC 29201-2431

Approved: \_\_\_\_\_

U.S. District Judge

Date 11/3/95

MEMBERSHIPS & POSITIONS: (first page)

ADR and Professional Associations:

Chairman, ADR Committee of the South Carolina Bar, 1992


Chairman, Mediation Subcommittee of the South Carolina Supreme Court Joint Commission on Alternative Dispute Resolution, August 1, 1993 to date

South Carolina Council on Mediation and Dispute Resolution, January 1995

Past President, Charleston County Bar Association, 1991-1992

Past Chairman, Criminal Law Section, South Carolina Bar, 1983-1984

American Bar Association; South Carolina Trial Lawyers Association; American Trial Lawyers Association; South Carolina Bar Association

Handwritten signature or initials, possibly "J. B. E.", in dark ink.

# SUPPLEMENT

## UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA

### Application for Mediators

*Please complete the entire application, using additional paper if necessary. You may also attach a resume.*

Name: CAPERS G. BARR, III

Firm or Office Name: BARR, UNGER & McINTOSH, LLC

Office Address: 11 BROAD STREET (P. O. BOX 1037)  
CHARLESTON, SC 29401 (29402-1037)

Office Phone: (843) 577-5083 Office Fax: (843) 723-9039

email address: 11brod11@bellsouth.net

### ADMISSIONS AND AFFILIATIONS

Date admitted to the Bar of the District of South Carolina: 1966 I.D. No.: 1211

Date admitted to the South Carolina Bar: 1966 Bar No.: 842

Other courts or jurisdictions to which admitted (with dates of admission and bar nos.): U.S. FOURTH CIRCUIT  
1986; U.S. SUPREME COURT 1988

Membership and positions held in bar, ADR and professional associations: Co-chair S. C. Supreme Court Joint  
Commission on ADR 1996 to date; Member, S.C. Supreme Court Board of Arbitrator & Mediator Certification 1996  
to date; (See continuation page)

Are you a member in good standing in each jurisdiction where admitted to practice law? XX yes     no

Are you currently the subject of any pending disciplinary proceeding in any jurisdiction?     yes XX no

Have you, within the last 5 years, been denied admission to a bar for character or ethical reasons or disciplined for professional misconduct?     yes XX no

### EDUCATION

Year law degree received 1966 Law School University of South Carolina School of Law

Other professional degrees received (including year and school) A.B. English, The Citadel 1963

### LEGAL EXPERIENCE (A minimum of 5 years of law practice required)

Summarize legal experience (including teaching) since admission to the bar, particularly in the past five years:  
Partner, Riley & Barr January 1969 to December 1975; Partner, Barr & Barr, December 1975 to December 1976;  
Assistant Solicitor (part-time) Ninth Judicial Circuit of S.C. 1970 - 1976; Solicitor Ninth Judicial Circuit of S.C. 1977-  
1981; Partner, Barr, Barr & McIntosh, 1981-1998; Partner, Barr, Unger & McIntosh, LLC, 1998 - to date.

## **SUPPLEMENT**

**ADMISSIONS AND AFFILIATIONS:** Membership and positions (cont.)

Chair, Mediation Sub-Committee S.C. Supreme Court Joint Commission on ADR 1994-1996;  
Chair, S.C. Bar ADR Committee (Now Section) 1993-1994; Charleston County Bar Association  
(President, 1991-1992); South Carolina Bar (Board of Governors 2000 - ); South Carolina Trial  
Lawyers Association; American Bar Association; American Trial Lawyers Association.

# SUPPLEMENT

Percentage of practice in last 5 years representing plaintiff 70 % or defense 30 %

Percentage of Federal or State court practice in last 5 years: Federal 20 % State 80 %

Number of years engaged in active litigation: 31

---

## EXPERTISE

Indicate all substantive areas in which you have expertise. Place a "1" by your strongest area(s) and a "2" by all other areas in which you have expertise. (Do not rank beyond "1" and "2.") After any category you have marked, please identify any sub-areas of expertise you have (e.g. "medical malpractice" after Personal Injury).

<u>      </u> Admiralty	<u>      2</u> Security or Shareholders suits
<u>      </u> Antitrust	<u>      </u> Labor
<u>      1</u> Contracts	<u>      </u> ERISA
<u>      </u> Environment	<u>      2</u> Wrongful Termination
<u>      </u> Fraud or Civil RICO	<u>      2</u> Civil Rights in Employment
<u>      2</u> Insurance	<u>      </u> Other Civil Rights
<u>      2</u> Miller Act	<u>      </u> Copyrights
<u>      1</u> Personal Injury	<u>      </u> Patent
<u>      1</u> Product Liability	<u>      </u> Trademark
<u>      </u> Other (specify) _____	

Publications: "Prepare for the Peacemakers" South Carolina Lawyer, July/August 1995; "Implementing Mediation: The Role of the Attorney" S.C. Bar C.L.E. Paper March 15, 1996 and July 12, 1996.

---

## MEDIATION EXPERIENCE

Mediation experience (particularly in the subject matter categories above): I have mediated in excess of 350 cases  
in Federal and State courts.

Other courts or organizations for whom you serve as a mediator (please note any certifications): Charleston County Court of Common Pleas, Courts of Common Pleas from other counties; ADR Options, Inc., Philadelphia, Pa.

Number of mediations conducted: 355 to date Number of other ADR sessions conducted: 40 ± Arbitrations

---

## MEDIATION AND OTHER ADR TRAINING

Course Provider	Course Content	Date	Place	No. of Hours
Dispute Management, Inc./	Mediation Training	5/19/95	Charleston	
David U. Strawn		5/22/94	SC	40

# SUPPLEMENT

## OTHER INFORMATION

Are you familiar with the statutes, rules and practice governing alternative dispute resolution in the District of South Carolina? XX yes      no

Other relevant experience or skills or other information you would like considered in connection with this application:

---

---

---

Cities in which you are available to conduct mediation:

XX Columbia      XX Charleston      XX Greenville      XX Florence  
Other: \_\_\_\_\_

Fees charged:

Hourly Rate: \$ 200 Minimum charge each mediation: \$ \_\_\_\_\_ hourly

How do you bill for travel? (explain): Negotiable; typically at the hourly rate

I agree to: (1) Be subject to the Rules of Professional Conduct, Rule 407, South Carolina Appellate Court Rules; the Rules for Lawyer Disciplinary Enforcement, Rule 413, South Carolina Appellate Court Rules; and the Local Rules of the District Court; (2) Provide mediation to indigents without pay if ordered by the Court; (3) Notify the Alternative Dispute Resolution Program Director of any change in the above facts or otherwise in my ability to perform duties as a mediator; (4) Disclosure of information contained in this application to litigants and other members of the public.

I certify that the foregoing is true and correct.

Signature: CHBam Date: 6-6-00  
Applicant

Return completed application to:  
Danny H. Mullis, Director  
Alternative Dispute Resolution Program  
United States District Court  
Post Office Box 835  
Charleston, SC 29402-0835

Reviewed: \_\_\_\_\_ Date: \_\_\_\_\_  
ADR Program

Approved: 

Initially approved by  
Judge Norton 11/3/95

 \_\_\_\_\_ Date: \_\_\_\_\_  
t Judge



# **SUPPLEMENT**

## **BARR, UNGER AND McINTOSH, L.L.C.**

ATTORNEYS AT LAW

11 BROAD STREET

P. O. Box 1037

CHARLESTON, SOUTH CAROLINA 29402-1037

TELEPHONE 843-577-5083

FAX 843-723-9039

CAPERS G. BARR, III  
H. WAYNE UNGER, JR.  
WILLIAM S. BARR  
H. THOMAS McINTOSH, JR.  
CAPERS G. BARR, IV  
ADAM E. BARR

### WALTERBORO OFFICE

111A EAST WASHINGTON ST.

WALTERBORO, SC 29408-3915

TELEPHONE 843-549-9406

FAX 843-549-1058

### EDISTO ISLAND OFFICE

806 OYSTER PARK

EDISTO ISLAND, SC 29438

TELEPHONE 843-869-2389

**CAPERS G. BARR, III**

### **PRACTICE AREAS:**

General, Civil and Criminal Litigation in State and Federal Courts; Mediation and arbitration services as mediator, arbitrator, negotiator in mediation and advocate in arbitration.

### **LEGAL EXPERIENCE:**

Partner, Riley and Barr, 1969-1975; Assistant Solicitor, Ninth Judicial Circuit of South Carolina (part-time), 1970-1976; Solicitor, Ninth Judicial Circuit of South Carolina, 1977-1981; Partner, Barr, Barr and McIntosh, 1981- 1998; Partner, Barr, Unger & McIntosh, May, 1998 - Date.

### **BAR ADMISSIONS:**

South Carolina Supreme Court, 1966; United States District Court for South Carolina, 1966; United States Fourth Circuit Court of Appeals, 1983; Supreme Court of the United States, 1988.

### **EDUCATION:**

A.B. in English, The Citadel, 1963;  
J.D. University of South Carolina School of Law, 1966.

### **ALTERNATIVE DISPUTE RESOLUTION TRAINING AND EXPERIENCE:**

Co-Chair, South Carolina Supreme Court Joint Commission on Alternative Dispute Resolution, 1996-date.  
Member, South Carolina Supreme Court Board of Arbitrator and Mediator Certification, 1996-date.  
Chair, Mediation Sub-Committee, South Carolina Supreme Court Joint Commission on ADR, 1994-1996.  
Chair, South Carolina Bar ADR Committee (now Section), 1993-1994.  
Dispute Management, Inc. Mediation Training Course (40 hours), May, 1994.  
S.C. Bar Arbitration Training Course (8 hours), June 1998.

### **MEDIATION AND ARBITRATION EXPERIENCE:**

Mediated in excess of 300 civil disputes in matters filed in State and Federal Courts, as well as dispute matters not filed in Courts; arbitrated in excess of 30 civil disputes.

### **PUBLICATIONS:**

"Prepare for the Peacemakers," South Carolina Lawyer Magazine, July/August, 1995.

"Implementing Mediation: The Role of the Attorney," S.C. Bar C.L.E. Paper, March 15, 1996 and July 12, 1996.

### **MEMBERSHIPS AND ASSOCIATIONS:**

Charleston County Bar Association (President, 1991-1992);  
South Carolina Bar (Board of Governors 2000 - );  
American Bar Association;  
South Carolina Trial Lawyers Association;  
American Trial Lawyers Association.